

Appl. No. 10/714,970
Amendment dated: September 9, 2005
Reply to OA of: July 27, 2005

REMARKS

Applicants have amended the specification and claims to more particularly define the invention taking into consideration the outstanding Official Action. Applicants most respectfully submit that all the claims now present in the application are in full compliance with 35 U.S.C. §112 and are clearly patentable over the references of record.

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter and correction is required. Accordingly, Applicants have amended the specification at pages 3, 4, 5 and 6 and it is believed that these amendments have obviated the objection. Accordingly, it is most respectfully requested that this objection be withdrawn.

The rejection of claims 1-13 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement and second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention has been carefully considered but is most respectfully traversed.

The currently amended claim 1 is fully supported in Figs. 3, 6, 8, 10 and 12 and no new matter has been introduced. In claim 1, an air guiding member includes an air passageway dividing into a first section and a second section. In Figs. 3, 6, 8, 10 and 12, the first section used to receive a hub portion of the fan unit and the second section used to expand an air outlet of the air guiding member is clearly shown. Accordingly, it is believed that the amendment to claim 1 has obviated these rejections and withdrawal thereof is most respectfully requested.

The rejections of claims 1-2, 5, 7-8, 9 and 11-12 as far as they are definite and understood are rejected under 35 U.S.C. 103(a) as being unpatentable over Taiwanese Patent 540,641 in view of Hong and either Ko or Chen; claims 1-2, 6-9 and 11-12 as unpatentable over TWP 540,641 in view of Hong '700 and either Ko or Chen; claim 3

Appl. No. 10/714,970
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over TWP '641 and Hong '506 and either Ko or Chen as applied to claim 2 above, and further in view of Katsui '674; claim 4 over TWP '641 and Hong '506 and either Ko or Chen as applied to claim 2 above, and further in view of Gan '939; claim 10 over TWP '641 and Hong '506 and either Ko or Chen as applied to claim 1 above; and finally claim 13 over TWP '641 and Hong '506 and either Ko or Chen as applied to claim 12 above, and further in view of Bendikas '949 has been carefully considered but is most respectfully traversed.

Applicants wish to point out that amended claim 1 is characterized in that a heat dissipating fan includes a cover plate, an impeller attached to the cover plate to constitute a fan unit, and an air guiding member providing an expanded air outlet beyond the fan unit. It is further characterized in that the air guiding member includes an air passageway dividing into two sections such that the first section is used to receive a hub portion of the fan unit and the second section is used to expand an air outlet of the air guiding member. Consequently, cool air running through the passageway of the air guiding member can naturally pass through near regions below the hub portion of the fan unit and then exhausted from the expanded air outlet of the guiding member.

In contrast, TWP '641 fails to disclose a fan unit spaced apart from an air outlet for allowing cool air to pass through near regions below a hub portion of the fan unit. In other words, it fails to disclose a sidewall or any air guiding member for confining cool air in the air passageway to pass through near regions below a hub portion of a fan unit. However, TWP '641 only discloses a top frame 70 and a housing 52 (see Fig. 9) for accommodating a fan wheel 60, and the top frame 70 cannot use to confine cool air to pass through below a hub portion of the fan wheel 60. Disadvantageously, the housing 52 has a base plate (not numbered) and a plurality of ribs 56 arranged in the air passageway such that an area of an air outlet of the housing 52 is narrowed due to obstruction of the base plate and the ribs.

Appl. No. 10/714,970
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As to '506 and '700, no sidewall for confining cool air to pass through below a hub portion of a fan unit is disclosed. However, '506 and '700 only disclose a board member 3 attached to a fin member, and the fin member fails to have an expanded air outlet.

As to '961, as housing having a plurality of ribs arranged in an air outlet is disclosed, as best shown in Figs. 2C-2D and 3A-3B. As to '067, a fan guard 21 having a plurality of ribs 2121 arranged in an airflow outlet 212, as best shown in Figs. 2a and 2b. In conclusion, the ribs of the housing or fan guard can disadvantageously obstruct the air outlet of the housing.

None of the references applied in the Official Action, TWP '641, '506, '961, '067, '700, '674, '939 and '949, discloses or suggests a guiding member including an air passageway dividing into two sections such that the first section is used to receive a hub portion of the fan unit and the second section is used to expand an air outlet of the air guiding member.

Therefore, there is no reasonable expectation of success for modifying or changing the top frame 70 or the housing 52 of TWP '641 to an air guiding member with an air passageway dividing into two sections such that the first section is used to receive a hub portion of the fan unit and the second section is used to expand an air outlet of the air guiding member. In addition, either of the housing of '961 or the fan guard 212 of '067 is provided with a plurality of ribs arranged in an air outlet. Also, there is no reasonable expectation of success for modifying the housing to form an air guiding member without any rib arranged in an air outlet.

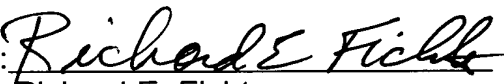
One of ordinary skill in the art could not possibly, in the absence of hindsight, have conceived of using the combination of a top frame 70 or a housing 52 of TWP '641 with a board member 3 of '506 or '700 or a housing of '961 or a fan guard 212 of '067 to achieve such an air guiding member of the presently claimed invention.

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In view of the above comments and further amendments to the specification and claims, favorable reconsideration and allowance of all of the claims now present in the application are most respectfully requested.

Respectfully submitted,

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